

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

AMERICAN BUILDERS & CONTRACTORS	)	
SUPPLY CO., INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 1:11-CV-19 (CEJ)
	)	
ROOFERS MART, INC., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


Before the Court is the motion of defendants Bernard Miller and Roofers Mart for bifurcation of the issues of liability and punitive damages, pursuant to Fed. R. Civ. P. 42(b). Plaintiff opposes the motion.

The plaintiff states that it does not intend to present any evidence of the net worth of defendant Roofers Mart in support of its claim for punitive damages. The plaintiff does, however, intend to present evidence that Roofers Mart benefitted from the sales plaintiff lost as a result of the defendants' actions, and evidence of a financial motive for Roofers Mart's alleged actions. The kind of prejudice that is typically associated with the presentation of a defendant's net worth is not present here. Also, the financial information described by plaintiff is relevant to the issues of liability and actual damages.

The Court is not convinced that bifurcation of the issue of punitive damages is necessary to avoid prejudice nor is it in the interests of judicial economy.

Accordingly,

**IT IS HEREBY ORDERED** that the motion of defendants Bernard Miller and Roofers Mart to bifurcate [Doc. # 131] is **denied**.

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 17th day of August, 2012.